



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

Monday, August 03, 2009

*Commissioner Deidre Malone, Chairman
Commissioner Joyce Avery, Chairman Pro Tempore
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism
Commissioner George Flinn*

*Commissioner Joe Ford
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Matt Kuhn
Commissioner Steve Mulroy
Commissioner Mike Ritz*

7/31/2009 2:58 PM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Chairman Deidre Malone

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session
June 1, 2009

CONSENT AGENDA

Resolutions of Memorial, Sympathy and Commendation

1. Resolution to commend Lauren Winstead for extraordinary heroism and bravery on July 5, 2009. Sponsored by Commissioner George Flinn.

Ordinances

CHISM

Chairman, Law
Enforcement
Committee

2. [ORDINANCE - SECOND READING - An Ordinance to amend Chapter 7, Article XI, of the Code of Ordinances of Shelby County, Tennessee, relative to security alarm services. Sponsored by Commission Sidney Chism.](#)

HARVEY

Chairman, Economic
Development
Committee

3. [ORDINANCE - FIRST READING - An Ordinance amending Part 2, Chapter 16, Article VI, Section 135 of the Code of Ordinances of Shelby County, Tennessee to decrease the membership of the Board of Directors of the Center City Commission. Sponsored by Chairman Deidre Malone.](#)

FORD

Chairman, General
Government
Committee

4. [ORDINANCE - FIRST READING - An Ordinance approving and setting the salary of the Mayor of Shelby County for the 2010-2014 term of office. Sponsored by Commissioner Joe Ford.](#)

FORD

Chairman, General
Government
Committee

5. [ORDINANCE - FIRST READING - An Ordinance approving and setting the salary and expense account for members of the Board of County Commissioners for the 2010-2014 term of office. Sponsored by Commissioner Joe Ford.](#)

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

GIBSON

Chairman, Budget and
Finance Committee

6. A resolution approving a contract extension between CIMS Global Technology Solutions, Inc. and Shelby County Government, Information Technology Department, for document management consulting services and software and hardware purchases, and to appropriate General Funds in the amount of \$185,000.00. This item requires the expenditure of General Funds in the amount of \$185,000.00. Sponsored by Commissioner J.W. Gibson II.

GIBSON

Chairman, Budget and
Finance Committee

7. A resolution approving an amendment in the amount of \$170,537.80 with Casto Information Management Systems, Inc (CIMS), for maintenance and support of hardware and software for the County's Document management system and this item requires expenditure of County General Funds in the amount of \$170,537.80 Sponsored by Commissioner J.W. Gibson, II.

GIBSON

Chairman, Budget and
Finance Committee

8. Resolution approving expenditure of funds in the amount of \$3,648,251.91 to various vendors for staple groceries for various departments of Shelby County Government. This item requires expenditure of County General Funds in the amount of \$3,648,251.91. Sponsored by Chairman Deidre Malone.

GIBSON

Chairman, Budget and
Finance Committee

9. Resolution approving expenditure of funds to Consolidated Foods for eggs and egg products in the amount of \$389,532.10 for the various departments of Shelby County Government. This item requires expenditure of County General Funds totaling \$389,532.10. Sponsored by Chairman Deidre Malone.

BUNKER

Chairman, Public
Works Committee

10. Resolution Authorizing The Shelby County Division Of Public Works To Apply For A Roadside Litter Grant For The Period July 1, 2009 To June 30, 2010. Sponsored By Commissioner Wyatt Bunker.

AVERY

Chairman, Hospitals
and Health Committee

11. A resolution approving an amendment to the FY2009-2010 operating budget of the Memphis and Shelby County Health Department's Tank Barge Emissions Study grant program to carry forward unexpended Federal Grant funds in the amount of \$229,484.00 to conduct volatile organic compounds and air toxics monitoring to measure air pollutants and the appropriation of said funds. This item requires the expenditure of Federal Grant funds in the amount of \$229,484.00. Resolution sponsored by Commissioner Joyce Avery.

AVERY

Chairman, Hospitals
and Health Committee

12. A resolution approving an amendment to the FY2009-2010 operating budget of the Memphis & Shelby County Health Department's County Schools Nurses Program increasing the budget in the amount of \$293,471.00 for the provision of nursing services by Registered Nurses and Licensed Practical Nurses to Shelby County Schools and an amendment to the FY2009-2010 position control budget and the appropriation of said funds. This item requires the expenditure of County Grant funds in the amount of \$293,471.00.00. Resolution sponsored by Commissioner Joyce Avery.

CHISM

Chairman, Law
Enforcement
Committee

13. A resolution amending the FY 2010 Operating Budget in the amount of \$270,613.00 and accepting State Grant Funds from the Tennessee Office of Criminal Justice Programs to implement a STOP grant for the purpose of affecting domestic violence in Shelby County and this item requires the expenditure of State Grant Funds in the amount of \$221,512.00 and Sheriff's Office Narcotics Funds in the amount of \$49,101.00. Sponsored by Commissioner Sidney Chism.

CHISM

Chairman, Law
Enforcement
Committee

14. A resolution amending the FY 2010 Operating Budget in the amount of \$134,062.88 and accepting State Stimulus Grant Funds from the Tennessee Office of Criminal Justice Programs to implement a STOP grant for the purpose of affecting domestic violence in Shelby County and this item requires the expenditure of State Grant Funds in the amount of \$100,547.88 and Sheriff's Office Narcotics Funds in the amount of \$33,516.00. Sponsored by Commissioner Sidney Chism.

CHISM

Chairman, Law
Enforcement
Committee

15. Resolution approving contract with Mendelson Law Firm for the provisions of collection agency services to be paid on a basis of thirty percent of collections. Sponsored by Commissioner Sidney Chism. (AMENDED IN COMMITTEE 7/29/09)

HARVEY

Chairman, Economic
Development
Committee

16. Resolution encouraging the further development of an official film industry alliance between Memphis and Shelby County and Berlin-Brandenburg, Germany. Sponsored by Commissioner J.W. Gibson, II.

HARVEY

Chairman, Economic
Development
Committee

17. Resolution declaring the intent of the Shelby County Board of Commissioners to donate the County's interest in the Mid-South Coliseum Arena and the Liberty Bowl real property to the City of Memphis without monetary consideration; requesting the County Mayor's administration seek to facilitate said donation; and authorizing the County Mayor to execute quit claim deeds and other necessary documents. Sponsored by Commissioner Mike Ritz. (DEFERRED TO 8/17/09)

KUHN

Chairman, Delinquent
Tax Property
Committee

18. Resolution approving the sale of sixteen (16) county owned Delinquent Tax Parcels, acquired from Shelby County Trustee Tax Sale Nos. 0005, 0202, 0204, 0305, 0402, 0404, 0405, and 0406, to identified purchasers at various prices collectively totaling \$116,500.00, pursuant to the sale provisions of T.C.A. §67-5-2507 and authorizing the Shelby County Mayor to execute Quit Claim Deeds. Sponsored by Commissioner Matt Kuhn.

REGULAR AGENDA

Elections, Appointments, and Confirmations

FORD

Chairman, General
Government
Committee

19. [Resolution Confirming the Mayor's recommendation of reappointment of Dr. Karen E. Chancellor as Shelby County Medical Examiner for a term of 5 years. Sponsored by Commissioner Joe Ford](#)

FORD

Chairman, General
Government
Committee

20. [Resolution approving the County Mayor's nomination of Henry Brenner, Michael Molder III and Sandra Richards for reappointment to the Shelby County Emergency Communications District 911 Board. Sponsored by Commissioner Joe Ford.](#)

FORD

Chairman, General
Government
Committee

21. [Resolution approving the County Mayor and County Commission Chairman's joint appointment of Danny R. Love to the Shelby County Needs Assessment Committee. Sponsored by Commissioner Joe Ford.](#)

FORD

Chairman, General
Government
Committee

22. [Resolution approving the County Mayor's nomination of Martin Truitt for reappointment, Luke Yancy, IV and Dana Burkett for appointment, and Brandy Johnson-Ward for joint City-County appointment to the Memphis and Shelby County Center City Revenue Finance Corporation. Sponsored by Commissioner Joe Ford.](#)

FORD

Chairman, General
Government
Committee

23. [Resolution approving the County Mayor's nomination of Julie Raines, Johnnie Turner, and David Peck for joint City-County reappointment to the New Memphis Arena Public Building Authority of Memphis and Shelby County, Tennessee. Sponsored by Commissioner Joe Ford. \(DEFERRED TO 8/17/09\)](#)

FORD

Chairman, General
Government
Committee

24. [Resolution approving the election of notaries public for appointment and/or reappointment for Shelby County, Tennessee. Sponsored by Commissioner Joe Ford.](#)

FORD

Chairman, General
Government
Committee

25. [Resolution appointing a judicial commissioner and setting the term of appointment and compensation. Sponsored by Commissioner Joe Ford.](#)

Ordinances**BUNKER**

Chairman, Public
Works Committee

26. [ORDINANCE - THIRD READING - An ordinance to amend the Shelby County Code of Ordinances by adding a new Article VII, entitled "Storm Water Fund" to Chapter 30, "Storm Water Management and Pollution Control." Sponsored by Commissioner Sidney Chism. \(FAILED IN COMMITTEE 7/29/09\)](#)

CHISM

Chairman, Law
Enforcement
Committee

27. [ORDINANCE - THIRD READING - Ordinance by the Board of Commissioners of Shelby County, Tennessee, establishing policies and procedures as required by Charter Section 5.23 for maintaining the continuity of government in the event of a disaster. Sponsored by Commissioner Wyatt Bunker.](#)

Zoning and Subdivisions**RITZ**

Chairman, Land Use
Committee

28. [A resolution of the County of Shelby, pursuant to Section 603 of the Memphis and Shelby County Subdivision Regulations, approving Case SNC 09-801 CO changing the name of a portion of "Houston Levee Road", beginning at Raleigh LaGrange Road and extending south to North Houston Levee Road, to "Houston Hill Road" Sponsored by Commissioner Mike Ritz. \(DEFERRED TO 8/17/09\)](#)

Reports and/or Resolutions for Standing Committees

BUNKER

Chairman, Public
Works Committee

29. A resolution approving a grant contract with the Tennessee Department of Transportation (TDOT) in the amount of \$2,550,995.00 for asphalt paving and/or resurfacing of Shelby County roads, amending the FY 2009-2010 Operating Budget, and appropriating said funds. This resolution requires the expenditure of \$2,550,995.00 from the FY 2009-2010 Operating Budget, using funds from the American Recovery and Reinvestment Act of 2009 (ARRA). Sponsored by Commissioner Wyatt Bunker. (AMENDED IN COMMITTEE 7/29/09)

AVERY

Chairman, Hospitals
and Health Committee

30. A resolution approving an amendment to the FY2009-2010 operating budget of the Memphis and Shelby County Health Department's Air Quality Improvement Branch grant program establishing the budget in the amount of \$2,874,902.00 for the reduction of transportation-based air pollution and traffic congestion, and an amendment to the FY2009-2010 Position Control Budget and the appropriation of said funds. This item requires the expenditure of Federal Through State grant funds in the amount of \$2,549,887.00 and the expenditure of Special Revenue Air Emission County Title V Penalty match funds in the amount of \$325,015.00. Resolution sponsored by Commissioner Joyce Avery.

HARVEY

Chairman, Economic
Development
Committee

31. Resolution to approve an agreement to recoup the cost of providing improvements, facilities and service to C.E. Ware Towers, Inc. ("Ware Towers"), a Tennessee not-for-profit corporation, as required by applicable tax exemption statute, T.C.A. § 67-5-207 et seq., at an amount of \$5 per unit per month. Sponsored by Commissioner James M. Harvey.

HARVEY

Chairman, Economic
Development
Committee

32. Resolution approving a contract renewal in an amount not to exceed \$1,000,000.00 with Memphis Chamber Foundation for facilitation of economic development in Memphis and Shelby County and appropriating said funds. This item requires expenditure of County General Funds in an amount not to exceed \$1,000,000.00. Sponsored by Commissioner James Harvey.

FORD

Chairman, General
Government
Committee

33. Resolution to amend a Resolution adopted as Item No. 27(A) on January 8, 2007 entitled "Resolution requesting that any nomination by the county mayor's office for a member of a Shelby County board, authority or commission position adequately reflect the ethnic diversity of the Shelby County community" so as to include all divisions and/or subdivisions of county boards, authorities, and commissions. Sponsored by Commissioner Henri E. Brooks. (DEFERRED FROM 7/8/09)

Announcements/Statements

34. Notification from County Mayor of appointments/reappointments to various Boards, Commissions, and offices of Shelby County Government. a) Resolution approving the County Mayor's nomination of Jerry L. Edmonds for reappointment to the Shelby County Health, Education and Housing Facility Board. Sponsored by Commissioner Joe Ford. b) Resolution approving the County Mayor's nomination of Olliette Murry-Drobot and Steven H. McCleskey for appointment to the Shelby County Ethics Commission. Sponsored by Commissioner Joe Ford. c) Resolution approving the County Mayor's nomination of Greg Taylor for reappointment and Luke T. Connable, Jr., Odell Johnson, Jr. and William M. Hunt for appointment to the Memphis and Shelby County Cross Connection Board. Sponsored by Commissioner Joe Ford. d) Resolution approving the County Mayor's nomination of Carlos Broady and Sherri Sawyer for appointment to the Memphis and Shelby County Music Commission. Sponsored by Commissioner Joe Ford.

Adjournment

35. Resolution of adjournment to Monday, August 17, 2009 at 1:30 p.m.